IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 21327 of 2007(L)

PETITIONER:

1. JYOTHISMATHY K.V., AGED 46 YEARS,
   W/O. PRADEEP, MANAGING PARTNER,
   GREAT ESCAPES RESORTS, CHINNAKANAL, MUNNAR,
   RESIDING AT XX/225, "REVATHY", KADUNGALLOR ROAD,
   THOTTAKKATTUKARA, ALUVA-683 108.

2. P.UNNY,
   PARTNER, GREAT ESCAPES RESORTS, CHINNAKANAL,
   MUNNAR, RESIDING AT VALIYAPALLAMTHURUTH,
   CHENDAMANGALAM P.O.

BY ADV. SRI.K.RAMAKUMAR
SRI.R.JAYACHANDRAN

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
   THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE PRINCIPAL SECRETARY AND LAND
   REVENUE COMMISSIONER, GOVERNMENT OF KERALA,
   THIRUVANANTHAPURAM.

3. THE DISTRICT COLLECTOR,
   IDUKKI.

4. THE SUB COLLECTOR,
   DEVIKULAM.

5. THE TAHSILDAR,
   UDUMBANCHOLA TALUK, IDUKKI DISTRICT.

6. THE SPECIAL OFFICER, REPRESENTING
   THE TASK FORCE FOR MUNNAR EVICTION, MUNNAR.

BY G.P. SHRI.D.ANIL KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.21327 of 2007

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Dated this the 11th day of July, 2007

J U D G M E N T

The petitioners claim to be owners in possession of certain lands. According to the petitioners, tenure of the said land is *pandaravakapattam* and the Government has no right whatsoever in the property. However, alleging that the same is Government land, proceedings have been initiated for eviction. Ext.P13 notice has been issued to which the petitioners filed objections and a hearing also has been conducted. Now the petitioners apprehend that without passing orders or immediately after passing orders, petitioners' buildings in the property are likely to be demolished and the petitioners dispossessed of the property. They challenge the proceedings now initiated.

2. I have heard the learned Government

Pleader also.

3. I feel that interest of justice requires an order to be served on the petitioners in the matter giving them sufficient time to take the matter in appeal or further proceedings. Accordingly, this writ petition is disposed of directing the respondents not to dispossess the petitioners or demolish the petitioners' buildings until after 7 days from the date of service of orders pursuant to Ext.P13, on the petitioners in order to enable the petitioners to challenge the orders to be passed appropriately and obtain interim orders, if they can.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.